

### REMARKS

Applicants would initially like to thank the Examiner for the indication of allowable subject matter in pending claims 11 and 14.

The Office Action rejects claim 9, 10, 13 and 16 under 35 U.S.C. § 103 as obvious over Tuohino in view of Rappaport et al. (“Rappaport”). Claims 12 and 15 have been rejected under 35 U.S.C. § 103 as obvious over Tuohino in view of Rappaport and Kuznicki. Claims 11 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten into independent form.

Claims 9-18 are now in the application. Claims 17 and 18 have been added. No claims have been amended. Reconsideration of the rejections of claims 9-16, favorable consideration of new claims 17 and 18, and allowance of the same are respectfully requested.

Claim 9 has been rejected under 35 U.S.C. § 103 as obvious over Tuohino in view of Rappaport. Applicants respectfully traverse the rejection.

Claim 9 recites “suspending, in response to a control signal, forwarding incoming calls to the user,” and “wherein said suspending forwarding incoming calls does not disconnect a call in progress between the user and the fixed network.” The Examiner acknowledges that these limitations are not met by the teachings of the primary Tuohino reference. The Examiner proposes that these limitations can nonetheless be found in Rappaport, and particularly at column 2, lines 29-58 thereof.

Applicants respectfully disagree. Rappaport is directed to maintaining a call in progress when the connection for the existing call is lost. Rappaport does not address or even consider suspending incoming calls, or the relationship between an incoming call and a call in progress. Also, claim 9 recites that the suspension of incoming calls is in response to a control signal. In Rappaport, a session ends in response to the unintended loss of the connection of the existing

call. There is no control signal that suspends service. Nor is there any control signal to suspend incoming calls, as recited in claim 9.

Just as Rappaport does not teach or suggest suspending incoming calls or a control signal, it does not teach or suggest the claim 9 language of “wherein said suspending forwarding incoming calls does not disconnect a call in progress between the user and the fixed network.” At best, Rappaport teaches that suspension of a connection of an existing call does not disconnect a call in progress. Rappaport does not teach or suggest that suspending forwarding incoming calls does not disconnect a call.

The proposed combination of Tuohino and Rappaport therefore fails to teach every limitation of claim 9, and fails to provide suggestion or motivation to modify their teachings to meet claim 9. Accordingly, claim 9 is patentably distinct over the applied art. Withdrawal of the rejection and allowance of the same are therefore respectfully requested.

Claim 10, which depends from claim 9, has also been rejected under 35 U.S.C. § 103 as obvious over Tuohino in view of Rappaport. For at least the reasons discussed with respect to claim 9, claim 10 is likewise patentably distinct over the cited art. Withdrawal of the rejection of claim 10 and allowance of the same are therefore respectfully requested.

Claim 12, which depends from claim 9 (through claim 10) has been rejected under 35 U.S.C. § 103 as obvious over Tuohino in view of Rappaport and Kuznicki. Kuznicki does not provide the teachings or suggestions lacking from Tuohino and/or Rappaport, such that dependent claim 12 is patentably distinct over the asserted combination on this basis. Claim 12 is therefore patentably distinct over the applied art. Withdrawal of the rejection and allowance of the same are therefore requested.

Claims 13 and 16 have been rejected under 35 U.S.C. § 103 as obvious over Tuohino in view of Rappaport. Claim 15 has been rejected under 35 U.S.C. § 103 as obvious over Tuohino in view of Rappaport and Kuznicki. Similar to claim 9, independent claim 13 recites suspending

incoming calls in response to a control signal, which is neither taught nor suggest by the cited art. For at least the reasons discussed above, claims 13, 15 and 16 are patentably distinct over the applied art. Withdrawal of the rejection of these claims and allowance of the same are respectfully requested.

Claims 17 and 18 have been added to further define that which Applicants regard as their invention. No new matter has been added. Claims 17 and 18 correspond to the subject matter of claims 11 and 14 converted into independent form. In view of the indication of allowable subject matter in claims 11 and 14, new claims 17 and 18 do not raise any new issues that would require a further search. Entry of claims 17 and 18 and allowance of the same is therefore requested.

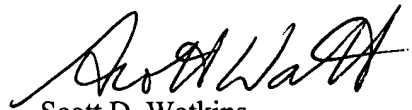
In view of the foregoing, the application is now believed to be in proper form for allowance, and a notice to that effect is earnestly solicited.

If the Examiner believes that a telephone conference would be of value, she is requested to call the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge/credit any fee deficiencies/overpayments to Deposit Account No. 19-4293 (11696.0054).

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Respectfully submitted,



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